



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 45
Comm #: 53538-1828-45
BRRTS #: 03-28-001839
Site Name: Speedway SuperAmerica #2123
Site Address: 245 N Main St, Fort Atkinson, 53538

Site Manager: Jim Kralick
Address: 2514 Morse St
City, State Zip: Janesville, WI 53545-0249
Phone: 608-743-4841
e-mail: james.kralick@wisconsin.gov

Bid Manager: Alan A. Hopfensperger
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 266-0562
e-mail: Alan.Hopfensperger@Wisconsin.Gov

Bid-Start Date:	September 18, 2006
Questions must be received by (See Section 2 (B)):	October 02, 2006, 4:00 PM
Responses will be posted by (See Section 2 (B)):	October 20, 2006
Bid-End Date and Time:	November 03, 2006, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal-Madison, 1 E Main, Madison, WI 53703
Phone: (608) 663-1041 **Fax: (608) 663-1045**

SECTION 2 – Site-Specific Bid Requirements

A) Bid Manager Comments

1) General Comments:

The site is a retail gas station that has stored and dispensed petroleum products for many years. USTs and dispensers remain in operation at the site. A site investigation was begun in 1993. The stratigraphy across the investigated area consists of a mix of clayey, silty, and sandy intervals to approximately 31 feet below ground surface (bgs), the maximum depth explored. Soil contamination has been documented in the areas of the current dispenser islands and current UST beds. Eleven monitoring wells and a piezometer were previously installed and sampled between 1997 and 2004. Between 2000 and 2004 free product was documented in wells MW-02, MW-05, MW-09 (up to 3.1 feet), and MW-10 (up to 3.3 feet). The static water table is generally present at between 16 and 24 feet bgs, and appears perched in some wells. Groundwater flow appears to be to the north and northwest. A slight downward vertical gradient has been documented in the past.

2) Minimum Remedial Requirements:

Install two 4-inch diameter recovery wells to 31 feet bgs, with 15-foot screened intervals. The recovery wells should be located in proximity to existing 2-inch diameter wells MW-9 and MW-10 (each recovery well should be installed within four feet of their respective monitoring well). The consultant selected to complete this work scope bid must satisfy all sampling and field work requirements per s. NR 712.05(1). The newly installed wells shall be surveyed to the national geodetic survey datum, per the requirements of s. NR141.065(2). All contaminated material generated at this site as part of the bid scope of work must be properly stored and disposed/treated in accordance with State regulations. Costs for disposal of all well construction waste including contaminated drill cuttings must be included in the bid. Soil analytical sampling is not required during the additional well installations.

Install 4 shallow soil borings in the area of former borings MW-3/B-4, B-1, B-2, and B-3. The borings should be installed to approximately 10 feet below grade. Two soil samples shall be collected from each boring for PVOC analytical testing: one from the most contaminated interval in the upper four feet and one from the most contaminated interval in the lower six feet.

Conduct free product/contaminated groundwater pumping events at the newly installed 4-inch recovery wells. Pumping events should be conducted monthly for 12 months using an appropriate vacuum truck capable of extracting water/product from 31 feet bgs. Each well shall be pumped at least three times following recovery of the water/product column (a total of 3 pumpings per well per event) to within one foot of the pre-pump levels. Measure water levels and free product thickness (using a product/water interface probe) in all wells prior to and immediately following the pumping event. For the purposes of the bid, the frequency and method of the pumping events shall be assumed for the full duration of the work scope (bidders shall assume 12 total recovery well pumping events as specified above). Also, bidders should assume removal of a total of 300 gallons of contaminated groundwater/free product per pumping event. Consequently, bidders shall assume extraction and disposal of 3,600 gallons of free product/highly contaminated groundwater through the completion of this work scope. Free product present in 2-inch monitoring wells shall be removed by passive bailing, pumping, or absorbent socks. In addition, bidders must include on page two of their bid

response, a per gallon unit disposal cost (commodity cost only) to be used to adjust the cap in the event that a volume significantly more or less is actually removed and disposed.

Groundwater monitoring shall be conducted for four consecutive quarters and shall follow the protocol of the following table:

Wells	Sample Quarterly	Final Sampling Round
MW-2, MW-3, MW-4, MW-5, MW-6, MW-7, MW-9, MW-10, MW-12, PZ-1	PVOCs	RNA Parameters*

*Remediation by Natural Attenuation parameters. Bidders should follow the recommended RNA parameter list found on TABLE C-1 in Appendix C of the Wisconsin Department of Natural Resources *Guidance on Natural Attenuation for Petroleum Releases*, PUB-RR-614, March 2003.

Groundwater samples shall be collected from all of the designated monitoring wells, unless free product is present. All contaminated material generated at this site as part of the bid scope of work must be properly stored and disposed/treated in accordance with State regulations.

Two semi-annual reports shall be submitted to include tabulated results for all historical groundwater analytical results collected during the entire site investigation and all historical groundwater elevation data. Groundwater flow direction shall also be calculated and presented on site plans for each quarterly groundwater sampling event. Site plans depicting the extent of residual groundwater contamination and free product occurrence shall also be submitted.

Completion of SOW / Closure Submittal

While this bid is not a bid to closure, there is a possibility of attaining closure at the conclusion of the scope of work (SOW) conducted under this bid. Upon completion of the SOW discussed above, evaluate site conditions and all historical soil and groundwater analytical data, and evaluate the potential for closure consistent with the requirements of ch. NR 726, Wis. Adm. Code. Bid responses will include a separate contingency cost to prepare and submit a complete closure report and GIS Registry packet (and all other closure related costs), for closure consideration by the Department of Natural Resources, if closure can be realized. The closure report must include the data results and documentation of the work activities completed in accordance with this bid. If closure is not available following the work scope activities conducted, then the cost cap established by this bid will be modified downward by the amount of the closure-related costs.

On page 2 of the bid response provide a tabulation of total bid costs. The lowest cost bid will be determined based on the total bid amount. Subsequent cost caps may be determined following the successful completion of all the activities under the initial cost cap. Approval shall be obtained through a request to Commerce (the DNR Project Manager shall be copied). The request shall include total costs incurred to date under the existing cap.

3) Reporting Timeframes:

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

4) Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

B) Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 3 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 4 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 5 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

- 1) Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
- 2) Failed to complete the scope of work in a bid in a timely manner.
- 3) Failed to follow DNR rules on the bid project.
- 4) Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.

- 5) In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
- 6) Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
- 7) Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Speedway SuperAmerica #2123
COMMERCE #: 53538-1828-45
BRRTS #: 03-28-001839

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Speedway SuperAmerica #2123
COMMERCE #: 53538-1828-45
BRRTS #: 03-28-001839

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Install two groundwater extraction wells, including well surveying and waste disposal	\$	
2	Install 4 soil borings, collect/analyze 8 samples for PVOs	\$	
3	Conduct monthly free product/contaminated groundwater pumping events	\$	
4	Groundwater monitoring (include analytical cost) per event	\$	
5	Number of Monitoring events		4
6	Monitoring Subtotal (Row 4 X Row 5)	\$	
7	Documentation (reports, correspondence, etc.)	\$	
8	Closure-related costs (including, but not limited to well abandonment, closure form and narrative, GIS packet, deed restriction and maintenance plan, as needed)	\$	
9	PECFA Claim Preparation	\$	
10	Total Bid Amount	\$	
11	Contingency for FP/GW pumping, per gallon unit disposal cost (<u>commodity cost only</u>)	\$	